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TAYLOR'S
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 PORT

SECRET TRIAL OF KIM PHILBY

AT 9.30 a.m. on his last day in England, May 25, 1961, Donald Maclean was walking decorously from Charing Cross Station to his room in the Foreign Office. Guy Burgess, never a devotee of early rising, had only just got out of bed in his New Bond Street flat by Aspreys. He was reading the Times and drinking tea made by his friend Jack Hewit. Everything was relaxed and unhurried.

By 10.30 everything had changed. Irreversibly, Burgess warned, through Kim Philby in Washington that Donald Maclean was about to be interrogated, made a vital decision. By that evening Maclean had gone in a cloud of mystery—and Burgess had gone with him.

But for Burgess's excited and unnecessary flight, things might have been very different for Kim Philby. Conversely, the most remarkable Soviet spy ever to penetrate the Western intelligence community might have remained undisturbed for another ten years. Certainly it is now clear that it was only his almost tortuous double link—with both Burgess and Maclean—which turned suspicion on him.

Had the cool, untrusting Philby been merely a normal man in 1941 by the bonds of Burgess's unimpaired friendship, it would have been all over for him. But the damage Burgess did to him was more than compensated by the inextinguishable loyalty of his friends in the Secret Intelligence Service. Inquiries have been made, established, in detail, that Philby, publicly sacked from the Foreign Service in 1951, was in fact secretly employed as a British agent by the SIS—even during the shadowy period before he became an Observer, foreign correspondent at the request of the Foreign Office.

This did not merely mean that Philby, the Soviet spy, had a second chance to penetrate British intelligence. It meant that the impression gained from Parliamentary statements on two occasions was false. The story of how all this happened is in part the story of a clandestine battle between the two principal secret departments of the British Administration: the Secret Intelligence Service (SIS) and the Security Service (MI 5). A major turning-point in this struggle was a strange "secret trial" in which Philby

successfully defended himself against the charge that he was a Communist agent. The result of the struggle was victory for MI 5: the discrediting of the SIS eventually became an asset. Sir Dick White was promoted from being head of MI 5 to take over as head of the rival SIS, which he remains today.

That radical break with Secret Service tradition is generally reckoned to have been a great success. Under Sir Dick, an urbane civilian with considerably more administrative ability than the soldiers and sailors who went before him, the SIS works smoothly and is reckoned—especially by Americans—to have regained the high reputation that it had begun to lose.

How Burgess and Maclean vanished

THE CAREER of Kim Philby went through two main phases. The first phase, described in our two previous articles, was one of penetration into British intelligence ranks. The landmarks can be swiftly noted: 1940 joins a branch of SIS; 1941 becomes a sub-chief; 1944 put in charge of counter-Soviet operations; 1946, goes to Turkey to organise operations against the Russians; 1949 goes to Washington as liaison between SIS and the Central Intelligence Agency.

The second phase, despite a stubborn rear-guard action by Philby, is essentially one of defeat, detection and ultimate defeat: the destruction of the unique position Philby had built up at the heart of the Western intelligence system.

The dividing point between the two phases was the day of the Burgess-Maclean defection. The events of May 25, 1951, can be reconstructed in detail.

Burgess's relaxed mood that morning was understandable. He did not have to go to the office. In previous instalments, we have referred to Sir Dick White as a "wiseacre". Publication of his name in the daily Press had now removed the argument for disguising his identity.

His brief, high-level exchange with the result of a longer and more agonised session the day before at lower level. Two officials each from the three agencies involved—SIS, MI 5 and the Foreign Office—had met to discuss whether the time was ripe to interrogate Maclean. The SIS and MI 5 men argued for a little more delay, but the FO man said that the time had come to jump Maclean. They said that Maclean, who had been away for some time that he was being followed and was being out of from top-secret telegrams, was juicy and ready to crack.

This was the last of an investigation which had begun early in 1949 when the American Central Intelligence Agency discovered that certain British intelligence information had reached the Russians. The source was established as the British Embassy in Washington, and the nature of the case involved both MI 5 (responsible for British counter-espionage generally) and SIS (responsible for foreign intelligence).

By chance, Burgess had two tickets for the steamer *Edsborough*, leaving Southampton that night for Britain. They had been intended for a holiday with a young American man whom Burgess had met earlier in the month on the Queen Mary. Now Burgess went to Gower Park to meet the young man and tell him the trip must have to be called off.

He explained he would not know for sure until later in the day. Burgess did venture an explanation—a young friend in the Foreign Office is in terrible trouble, and I am the only one who can help him—who



LONDON, NOVEMBER, 1955: Philby, smiling and confident after his name was cleared in the Commons by Harold Macmillan, boldly holds a Press conference. A film of the conference from the BBC archives shows a complete lack of his usual hesitations and stutter as he rattles off denials. This is a transcript of what he said:

QUESTION: If there was a third man, were you in fact the third man? PHILBY: No, I was not. Do you think there was one? No comment. Mr Philby, you yourself were asked to resign from the Foreign Office a few months after Burgess and Maclean disappeared. The Foreign Secretary said in the past you had had Communist associations. That is why you were asked to resign? I was asked to resign because of an imprudent association. That is your association with Burgess? Correct. What about the alleged Communist associations? Can you say anything about them? The last time I spoke to a Communist, known to me to be a Communist, was some time in 1945. That rather implies that you have also spoken to Communists in the past and now know about it. Well, I spoke to Burgess last in April or May, 1951. He gave you no idea that he was a Communist at all? Never.

MOSCOW, SEPTEMBER, 1949: Philby (left) sits on a park bench to be photographed for the Sunday Times by his son, John. His quizzical smile and his Russian clothes make a sharp contrast to the suave, diplomatic figure who twelve years earlier had fooled the British Press.

Had Maclean alone vanished, Philby would merely have been one of the "outer ring" of suspects. He knew that Maclean was to be grilled, but so did a great many other people who would have been likelier suspects. But Burgess had been living in Philby's house in Washington just before he was

Continued on next page

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ing a factory foreman from Kim Philby. "Don't do anything I wouldn't do. After that, he had made several leisurely phone-calls in connection with his holiday trip with the American.

But from the time that Jaunt was cancelled, Burgess scarcely stopped moving. He made two phone calls, hired a car for about ten days, bought a new suitcase and clothes, went home to pack, had some drinks in the Reform Club and finally drove off through the rush-hour traffic to Donald Maclean's house at Tisbury in Kent.

Meanwhile, Maclean had enjoyed a leisurely birthday lunch with friends in London. (He was thirty-eight on May 25.) Maclean was wearing his hat, with the band turned up all round, a personal symbol of good spirits. He was pleased about the child his wife Melinda was expecting, and about the fact that he had overcome his absurd infatuation for a night-club porter. His MI 5 "boss" whose instructions were to follow him only during the day, saw him off on his usual \$19 fare to Charing Cross.

Late that night, after dining at Tisbury, Burgess and Maclean drove in the hired car down to Southampton. At midnight, they boarded the Palace with a minute to spare. They were so late that Burgess left the car parked illegally on the quay. A sailor asked what they were doing, and Burgess, belatedly, "Back on Monday."

But Skardon never got to his man. Just about the time that Morrison was giving his assent on Friday morning, Guy Burgess was taking the first concrete step towards getting Donald Maclean out of the country.

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INSIGHT

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Philby became the target of a ferocious blitz by the Americans, who began complaining bitterly that they had given a man free run of the CIA for 18 months whom they now found had shared his house with a notoriously and obviously insecure man who had capped all his indiscretions by decamping to Russia. The weekend after the defection, a four-man team led by G. A. Carey-Foster, the head of Q-Branch in the F.O., flew to Washington and questioned Philby. Almost immediately afterwards Philby was withdrawn from his post as CIA-SIS liaison officer, apart from any suspicions the British had, the Americans were no longer prepared to deal with him.

In a sense, it was a cool piece of nerve on Philby's part to come back to London and face the music, rather than defect himself at the earliest opportunity. But there was one thing strongly in his favour. M.I.S. of course, were inevitably in charge of the investigation of the "third man" affair. But once M.I.S. began to investigate an S.I.S. officer like himself, two entirely different philosophies of security were bound to come into headlong collision.

The M.I.S. philosophy was one of meticulous examination of files and records; the department was a group of sycophants, trained in building up cases against suspects. The S.I.S. philosophy, essentially, was based on personal trust.

Immediately and predictably, the two departments split on how to handle the Philby case. M.I.S. wanted to make a long, detailed investigation of him; S.I.S. of course opposed this. They offered an alternative, which was that General Sir Stewart Menzies, the chief of the S.I.S. throughout Philby's meteoric rise, should spend a day talking things over with Philby to see if anything had gone wrong. This, inevitably, was rejected.

The Philby dispute was sharpened by the antagonism already existing between S.I.S. and M.I.S. officers. In a discussion with an eminent M.I. 3 man of the period, we mentioned the "Whitehall tradition by which S.I.S. men are known as 'the Friends'—he said, bleakly, "I used to refer to them as 'the Enemies'."

War had left the two departments at daggers drawn. Philby had to resign from his Foreign Office cover job, inevitably. And it is this "resignation" with which both Harold Macmillan, in 1953, and Edward Heath in 1955, made great play in their statements to the House of Commons. Heath, whose task was to admit that Philby's loyalties had at last been finally proved by his defection to Russia, was particularly energetic.

Heath said that Philby was asked to resign from the Foreign Service in July, 1951 ("which he did"). He then explained how Philby had had a period of "same employment, presumably arranged by himself," before the Foreign Office suggested in 1954 that the observer might like to give him a job. It was, of course, the observer job, as correspondent in Beirut, that Philby held at the time of his defection in January, 1952, even after reading between the lines an M.P. would probably have

difficult to see how Philby could have been so easily recruited at the beginning of the war, and its operations placed firmly in the hands of civilian, professional intelligence men. In 1946, the gang-busting policeman, Sir Percy Sillitoe, was made Director of M.I.S. its driving force was a man named Dick White, who had joined the service as a bright young graduate in 1938. M.I.S. began to chalk up some notable Cold War successes, like Nunn and Fuchs.

S.I.S., fortunately, had avoided wartime reconstruction: its leadership remained ex-military, with a strong hangover of Indian Police influence and the time of the Burgess-Maclean defection, the Service was still being run by Stewart Menzies, and the days when his henchman Colonel Claud Dansey could say that he would "never knowingly use an 'university man'" were not far away.

But the S.I.S. was clearly having trouble matching up to the massive and powerful Soviet K.G.B.—which would have been hard enough even without the fact that the S.I.S.'s best man was secretly working for the Russians. "In those days," says an ex-S.I.S. desk man, "we just didn't get any high-grade information out of Russia, and we never did until Penkovsky came along in the sixties." If anything, this feeling of being under pressure probably strengthened the S.I.S. determination not to lose their best "pro" because of the prejudices of Sillitoe and White in M.I.S.

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the impression that Philby had been dismissed from all Government service in 1951. What Philby did lose was his very prestigious job in America and presumably his chances of going to the top of the Service. There may have been some debate within the S.I.S. about how to use Kim's talents; but by the end of the war he was back, hard at work, as a very important kind of agent in the field.

But it looks, from the evidence, as though they used him for an intricate and dangerous game trying to penetrate Russia, and set some better information out. And as Philby started out on his new job, the M.I.S. men under Sir Dick White began, despite S.I.S. disavowals, to make a long, thorough investigation of him—which he knew would result sooner or later in a new assault on his position.



Guy Burgess relaxing in the gardens of a Russian sanatorium at the end of the photograph, "and make some money when I'm dead."

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Strange encounter in Turkey

A small, glibly confident man in Cyprus nodded and did not press the matter. But after they had given the British Council group began to discuss how he could have got to Dogubayazit.

They had not passed him on the road from Kars. He could not have come from Van because the road was blocked by snow, and no one at checkpoints on the Kars road recognised him as having passed that way. At least two of them became convinced that Philby could have reached Dogubayazit only on the 60-mile road around Mount Ararat from Erzurum in Soviet Armenia. Had Philby crossed the border?

At that time the Turkish side of the border was only lightly patrolled. But the Soviet side was lined with rows of barbed wire and fortified with watch towers half a mile apart. If Philby had crossed to Turkey from Russia then he had either taken an incredible risk or else had been permitted to pass.

The implications of this were so startling that the scientists, who were not accustomed to moving S.I.S. men, decided that it would be best to forget the incident. It is easy to understand their reasoning. It is too easy to understand that of the S.I.S. Why put Philby, an agent under suspicion of working for the Soviet Union, into an area where he is bound to come into contact with Russians?

Only two theories can explain this. Either the S.I.S. thought that Philby had been fully cleared or else they were paying one of those "suspicious" which make up the more extensive extensions of espionage. Their reasoning was as follows: if Philby has been working for the Russians then his denials to the field will be true. They will be true because he will have been working his way back again. What better way to do this than to feed Philby a selection of perfectly genuine items. In any case, since the essence of espionage is to make contact with your opposition, and have to be seen to be doing so.

The scientists found this hard to believe. It had been passed to one on the way read that he had been working for the north. In any case, what would a lone Englishman be doing in an area where he would be so easily spotted that it was almost impossible to get a pass? But on the chance that the petrol attendant might be right they trudged through the snow to the local tea room, a shanty of tin and tent poles. Kim Philby was inside sipping tea and smoking a cigarette, holding court in Turkish with the locals.

One of the scientists who knew Philby well said hello to him and then asked him what on earth he was doing there. Philby was glib and taken the unexpected meeting with considerable calm, said simply: "collecting geological samples. An annual holiday." The scientist, who had suspected Philby's S.I.S.



Philby in the garden of a Russian sanatorium at the end of the photograph, "and make some money when I'm dead."

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Philby's secret trial

MEANWHILE, M.I.S. had completed their mammoth investigation of Philby, which only the absence of an answer to the question of whether he was a spy or not could detract from the purpose of the exercise. To discover by simulation of the proceedings, whether a criminal prosecution of Philby was likely to succeed. In July, 1952, learned counsel were briefed. What, exactly, would they be able to bring in evidence?

Although something must by now have been discovered about Philby's political past, it seems clear that the probe did not stretch very far; three separate witnesses to the Vienna period of burgeoning and unceasing Communist conviction recall, with some surprise, that they were never approached by British investigators.

But this has evidently not come to light in 1952. The two basic items available to the mock prosecutors were the operational catastrophes which we described last week—the Volkov affair and the collapse of the Albanian subversion mission.

Despite the fact that Philby stood badly compromised in both cases, the trial was an embarrassing disaster for the authorities. It lasted three days, and on none of them did the accused offer the slightest chink of an admission of guilt.

Leading for the prosecution was an old M.I.S. hand, Hellenus "Buster" Milne, Q.C. (now a High Court Judge). The room was filled with lawyers who were also chosen for their wartime security clearance. One of them, naming up the ensuing diatribe, said: "It was as if the vilest man in the world were being cross-examined by the stupidest man in the world." Then he had other things to say about Milne, who did not worse than anyone else might have found out no further judge.

Philby's technique was in fact relatively simple to understand. He was to spin out his answers to the most straightforward questions. "I don't know," he would say, "but I didn't do it. That's not the way it was." And lacking a scintilla of hard evidence, beyond the bare association with Burgess in Washington, the prosecution was further handicapped.

"Was it a fine day?" Milne would ask. "I think it was 57 degrees, a slight north-westerly wind, some cloud." Philby would reply: "Yes, you could say it was a fine day, without a sultry, a few hours of this treatment not undermined any inquisitorial sense of questioning, not getting angrier."

In the eyes of most S.I.S. men, who thought Philby should never have been interrogated, their view was completely vindicated. But in the eyes of M.I.S. the possible judicial force had merely preserved him from the sort of handling which had been so frequent in the past—the "cat and mouse" game of the "Whitehall tradition" by which S.I.S. men are known as "the Friends"—he said, bleakly, "I used to refer to them as 'the Enemies'."

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Correction

A REFERENCE in last week's article to Mr. "Bull" Fessenden may, by its context, have given the impression that he was doing editorial work. Mr. Fessenden is in a professional capacity, and his name was misquoted. It is regretted that this error has been made. Mr. Fessenden is a writer, and his name was misquoted.

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Moscow suburb: Melinda and Philby

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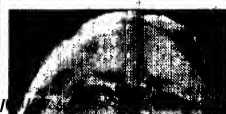
Kim Philby and his fourth wife, Melinda, formerly married to defector Donald Maclean, whom she followed to Moscow after the Burgess-Maclean flight. Pictures taken in Moscow by Josephine, Philby's eldest daughter by his second marriage.

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Melinda, Philby and son-in-law, Geoffrey Abbott

Rail guard ban OFF



8,000 army defends